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May 23, 2014

The Honorable Miranda Du
U.S. District Court
400 S. Virginia St.
Reno, NV 89501

Re: China Energy Corporation v. Hill, et al (motion status inquiry)

Dear Judge Du:

I am a pro se Defendant in the case China Energy Corporation v. Alan Hill, et al, Case No. 3:13-CV-562-MMD-VPC, a case in which six dissenting shareholders seek judicial appraisal of their stock.

Pursuant to Local Rule 7-6(b) I am requesting a status inquiry into a dispositive *jurisdictional* motion which has been fully briefed for more than sixty (60) days. See “Motion to Dismiss and/or Strike by COR Clearing,” Dkt. 161, fully briefed on March 7, 2014.

U.S. Magistrate Cooke was “convinced” the “Motion to Dismiss and/or Strike by COR Clearing,” would be granted, based upon lack of jurisdiction, and on April 25, 2014 stayed any further discovery or participation in this case by COR Clearing. Order, Dkt. 205. Discovery closes on June 23, 2014.

The stay and thoughtful analysis of Magistrate Cooke convinced the Third-Party Plaintiffs that jurisdiction might indeed not exist in this Court, and so a new (identical) lawsuit was immediately filed in the U.S. District Court for Nebraska (headquarters for COR Clearing) on April 28, 2014. Sammons v. COR Clearing, et al, No. 8:14-cv-00136 (D. Neb.)

On May 23, 2014 the U.S. District Court in Nebraska stayed the Nebraska case (except for an answer or other pleading to the complaint) pending formal dismissal of the Third-Party Complaint in this Court as foretold by Magistrate Cooke. As a result the Court in Nebraska, as well as all the parties involved in the Nebraska case, can make little progress until this Court issues its formal decision on the COR Clearing “Motion to Dismiss and/or Strike.”

WHEREFORE, out of concern that U.S. District Judge Joseph F. Bataillon be allowed to proceed with his docket without undue delay, a status check on the pending “Motion to Dismiss and/or Strike by COR Clearing” is requested.

Respectfully,


Michael Sammons, pro se

cc: All parties